IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 20TH NOVEMBER 2006 / 29TH KARTHIKA 1928

W.P.(C).No.29072 of 2006(S)

PETITIONER:-

K.VENUGOPALAN NAIR, ELEMKAMON HOUSE,
T.C.9/271, SASTHAMANGALAM, THIRUVANANTHAPURAM.

BY ADV. SRI.A.AHZAR

RESPONDENTS:-

1. STATE OF KERALA,
   REPRESENTED BY THE CHIEF SECRETARY,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. CHIEF ENGINEER, MINOR IRRIGATION, PUBLIC OFFICE,
   THIRUVANANTHAPURAM.

3. EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
   JALA BHAVAN, THIRUVANANTHAPURAM.

4. SUPERINTENDING ENGINEER, MINOR IRRIGATION,
   CIRCLE OFFICE, JALA BHAVAN, THIRUVANANTHAPURAM.

5. SECRETARY, P.W.D. IRRIGATION WING, SECRETARIAT,
   THIRUVANANTHAPURAM.

6. CONFEDERATION OF CONSUMER VIGILANCE CENTRE,
   SREEKOVIL, KODUNGANOOR P.O., THIRUVANANTHAPURAM,
   REPRESENTED BY ITS GENERAL SECRETARY, A.AYYAPPAN NAIR.

R1 TO R5 BY GOVERNMENT PLEADER SRI.T.B.HOOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K.Bali,C.J. & S.Siri Jagan,J.

W.P.(C).No.29072 of 2006-S

Dated, this the 20th day of November, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

In this public interest litigation filed by K.Venugopalan Nair, the prayer is that the drain should not be covered as that would lead to flood during rainy season. Learned counsel for the petitioner has not been able to impress us as to how only covering of drain, which is otherwise required keeping in view the hygienic conditions, would result into flood during rainy season. We do not find any merit in this petition. However, we dispose of this petition by simply observing that while the process of covering the drainage is done by putting slabs, adequate precaution should be taken that it would not lead to flood during rainy season.

Sd/-
V.K.Bali
Chief Justice

Sd/-
S.Siri Jagan
Judge

vku/-

- true copy -

P.A.to Judge.